

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

MARIE GARLAND, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

I.C. SYSTEM, INC., a Minnesota
corporation,

Defendant.

Case No. 13-CV-496 SRN JJG

STIPULATION TO DISMISS

Plaintiff Marie Garland (“Garland”) and Defendant I.C. System, Inc. (“I.C. System”) (collectively, the “Parties”), by and through their undersigned counsel, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby stipulate and agree to dismiss this action *without prejudice*. In support of their stipulation, the Parties state as follows:

WHEREAS, on March 4, 2013, Garland filed her Class Action Complaint (the “Complaint”) (Dkt. 1);

WHEREAS, on April 5, 2013, I.C. System moved to dismiss Garland’s Complaint (Dkts. 7, 10), which, after briefing, the Court denied “as moot but without prejudice” (Dkt. 29);

WHEREAS, on July 25, 2013, I.C. System answered the Complaint (Dkt. 32), and after the Court held a Rule 16 Discovery Conference (Dkt. 23), the Parties began to engage in written and oral discovery;

WHEREAS, during the course of discovery certain health-related events have occurred that will prevent Plaintiff Garland from proceeding as the named-plaintiff in this matter;

WHEREAS, in light of these events, the Parties have conferred and agreed that Plaintiff Garland shall dismiss her individual claims and those of the putative class in this matter, *without prejudice*.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED as follows:

1. This action, each of Plaintiff's individual claims against I.C. System in this matter, and the claims of the putative class against I.C. System in this matter shall be dismissed *without prejudice*; and

2. Each party shall bear their own costs and attorneys' fees in any way related to the litigation of this action.

IT IS SO STIPULATED.

MARIE GARLAND, individually and on behalf of all others similarly situated,

Dated: February 10, 2014

By: /s/ Benjamin H. Richman
One of Plaintiff's Attorneys

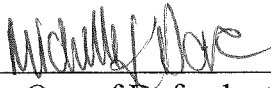
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I.C. SYSTEM, INC.

Dated: February 10, 2014

By: 
One of Defendant's Attorneys

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